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Attorneys for Defendant Google LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,
Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF GOOGLE LLC'S
ADMINISTRATIVE MOTION TO SEAL
PORTIONS OF GOOGLE LLC'S
PROPOSED FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

Referral: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney at Quinn Emanuel
3 Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action. I make
4 this declaration of my own personal, firsthand knowledge, and if called and sworn as a witness, I
5 could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of Google
7 LLC’s Administrative Motion to Seal portions of Google’s Proposed Findings of Fact and
8 Conclusions of Law on Plaintiffs’ Request for an Order to Show Cause for Why It Should Not Be
9 Sanctioned for Discovery Misconduct (“Proposed Findings”). In making this request, Google has
10 carefully considered the relevant legal standard and policy considerations outlined in Civil Local
11 Rule 79-5. Google makes this request with the good faith belief that the information sought to be
12 sealed consists of Google’s confidential and proprietary information and that public disclosure could
13 cause competitive harm.

14 3. Google respectfully requests that the Court seal the redacted portions of the Proposed
15 Findings.

16 4. The information requested to be sealed contains Google’s confidential and
17 proprietary information regarding highly sensitive features of Google’s internal systems and
18 operations, including the various types of data sources which include information related to
19 Google’s data signals, logs, details related to project names, internal identifiers, Google’s internal
20 practices with regard to Incognito and its proprietary functions, as well as internal metrics and
21 investigation into financial impact of certain features, that Google maintains as confidential in the
22 ordinary course of its business and is not generally known to the public or Google’s competitors.

23 5. Such confidential and proprietary information reveals Google’s internal strategies,
24 system designs, and business practices for operating and maintaining many of its important services,
25 and falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 1-
26 2.

27 6. Public disclosure of such confidential and proprietary information could affect
28 Google’s competitive standing as competitors may alter their identifier system designs and practices

1 relating to competing products. It may also place Google at an increased risk of cyber security
2 threats, as third parties may seek to use the information to compromise Google's data sources,
3 including data logs, internal data structures and internal identifier systems.

4 7. For these reasons, Google respectfully requests that the Court seal the Proposed
5 Findings.

6 I declare under penalty of perjury of the laws of the United States that the foregoing is true
7 and correct. Executed in San Francisco, California on April 18, 2022.

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9 DATED: April 18, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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11
12 By /s/ Jonathan Tse
Jonathan Tse

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14 *Attorney for Defendant*
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